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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. 12-CR-00010 EMC
)	
Plaintiff,)	[PROPOSED] ORDER EXCLUDING
)	TIME UNDER THE SPEEDY TRIAL ACT
v.)	
)	
ARMANDO ANTONIO MONROY)	
and JORGE PERAZA-RIVAS,)	
)	
Defendants.)	

The above-captioned matter came before the Court on April 10, 2013, for a further status conference. The Court set a trial date of December 9, 2013. Both defense counsel stated they are unavailable to start trial before that time due to other trials.

Based upon the unavailability of defense counsel to set an earlier trial date and the time needed to prepare for trial, the parties agreed and requested that an exclusion of time be granted from and including April 10, 2013, through and including December 9, 2013. The parties agreed that the additional time is appropriate and necessary under Title 18, United States Code, § 3161(h)(7)(A), because the needs of justice served by the continuance outweigh the best interest of the public and the defendants in a speedy trial. This time exclusion will allow for continuity of defense counsel and for counsel for the defendants and the government to effectively prepare,

1 taking into account the exercise of due diligence.

2 As found during the April 10, 2013 hearing, the Court finds that the time from and
3 including April 10, 2013, through and including December 9, 2013, is excluded under the
4 Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), because the ends of justice served by such
5 exclusion outweigh the best interest of the public and defendants in a speedy trial. This finding
6 is based upon the need for continuity of defense counsel and for the defendants and the
7 government to have reasonable time necessary for effective preparation pursuant to 18 U.S.C. §
8 3161(h)(7)(B)(iv).

9
10 IT IS SO ORDERED.

11
12 DATED: April¹⁵, 2013
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